

ATTACHMENT 1: “Affidavit Stella April, 2022.pdf”

For “MEMORANDUM OF STELLA FORINASH AND
KENNETH FORINASH IN FAVOR OF ACTUAL
INNOCENCE OF BRIAN DAVID HILL; IN SUPPORT OF
WHY BRIAN DAVID HILL SUSPECTS BLACKMAIL OF
“JUDGES” AND “OFFICIALS”; AND IN SUPPORT OF
GROUND VI - UNCONSTITUTIONAL INTERFERENCE
WITH THE STATE COURT PROCESS AND/OR
UNWARRANTED USURPATION OF POWER AGAINST
THE STATE COURT PROCESS IN VIOLATION OF THE
TENTH AMENDMENT OF THE UNITED STATES
CONSTITUTION; AND IN SUPPORT OF 2255 MOTION
(DOC. #291)”

Case no. 1:13-cr-435-1; civil no. 1:22-CV-00074

Ally of Q, Former news reporter of USWGO Alternative News
JUSTICEFORUSWGO.WORDPRESS.COM



To Whom This May Concern:

My name is Stella Forinash. Brian David Hill is my grandson. In March, 2022 I did more of an investigation into my grandson's federal case and put many of the elements together in 8 PDF files. If any of this is actually read, it gives full proof that my grandson is innocent of all charges and was set up. Brian Hill's case has been going on for almost 10 years, and there needs to be an investigation into all elements of his case AFTER he is acquitted and removed from probation and the sex registry. We prove in these 8 PDF's that he is actually INNOCENT of all charges and is the VICTIM. Our investigation proves beyond a shadow of a doubt that his court appointed attorney did nothing at all to help his client; actually hurting his client more and all of the Constitution, medical and Civil Rights laws he ignored to get his goal of having Brian found guilty.

These are the names of the 8 PDF's with proof to be submitted to this court. None of this proof was brought out in his June 10, 2014 trial so it is all new evidence. 1. "Brian Hill's Proof of Innocence for the Court in 2022" (47 pages). 2. "Who is Brian Hill – Pictures & Descriptions" (22 pages). 3. "Brian's Treatment in Jail with Brittle Diabetes, Autism & OCD" (29 pages). 4. "Threats" (19 pages). 5. "Investigation 1" (38 pages). 6. "Investigation 2" (37 pages). 7. "Danville, VA Brian Discovery" (16 pages). And 8. "Actual Innocence" (32 pages).

Brian David Hill needs to be immediately acquitted, taken off of probation and the sex registry due to the basis of "ACTUAL INNOCENCE".

On Good Friday, April 15, 2022 God revealed some important answers to us in Brian's case right before I intended to hand these PDF's to my grandson to mail to the court. April is AUTISM AWARENESS MONTH, and these PDF's will prove to the court what part Autism Spectrum Disorder (ASD) played in 2 police detectives from Rockingham County, NC getting misleading statements and what they and the court call a "Confession" from Brian on August 29, 2012, and what Brian, his family and friends call a "FALSE CONFESSION".

We all had this information since August 28, 2012, but we all missed it until April 15, 2022. Police Detective Robert Bridge, the very same one who was in Brian Hill's house in Mayodan, NC on Aug. 28, 2012 going all through his and his mom's house picking up all computers, hard drives, CD's – all of Brian's & his mom's memories. The very same one who was going through Brian's main laptop computer at the Mayodan police station and found the child porn. He & police Detective Todd Brim got the false confession from Brian Hill on August 29, 2012. We have caught Todd Brim in many lies. These two questioned Brian alone. According to their police report and the NC SBI report "child porn" or "files" were being downloaded on July 20, 2012, the very same day according to Robert Bridge that he went into Brian's computer and made sure that his & Brian's computers were attached. He did this without a search warrant claiming he is part of the N.C. Internet Crimes Against Children task force. Robert W. Bridge (YOUR AFFIANT) (Document 84-2. Page 10). He hacked into Brian's computer (same IP address we found in all Brian's emails in 2012) #59 IP address 24.148.156.21 on July 20, 2012. (Document 84-2. Page 19). NC SBI said that files were being downloaded on Brian's laptop computer from July 20, 2012 until July 28, 2013. Bridge & Brim got this computer on August 28, 2012 during the police raid. There is no way that Brian would have been downloading child porn for 11 months when he did not have the computer. Also Brim said they found webpages along with the downloaded files. We give thanks to Almighty God for guiding us to this information. All of this was included in the search warrant that was handed to Brian's mom on the day of the police raid (8-28-2012). Please acquit Brian by his 32nd birthday on May 26, 2022. Remove him from probation and the sex registry. Look at all of the torture he & his

family have endured since August 28, 2012 (almost 10 years) because of this. It is a miracle that Brian is still alive.

Brian and his family are not sure that child porn was on Brian's computer. None of us have seen it or any proof. The Mayodan, NC police report calls it "Child porn", the NC SBI calls it "Items or files of Interest" and the government says "None of the children have been identified as part of a known series by the National Center for missing and exploited children (NCMEC). The threat emails call it "child porn". Brian and his family calls it "a computer virus".

The Mayodan Police report from 2012 and the NC SBI report from 2013 gives what they both claim they found on Brian's laptop computer, 2 hard drives and a USB stick the same start date that it was being downloaded on Brian's computer but different end dates. According to both reports, it started downloading on July 20, 2012. The police report says it was downloading for 7 days, and the NC SBI report says it was downloading for 1 year and 1 week. Eleven months of that time, these were in the possession of the police in Mayodan, NC and the NC SBI in Greensboro, NC. We have decided it has to be some type of virus.

We did find out who had hacked into Brian's computer without a search warrant on July 20, 2012. This proof and where to find it is on the next page. We also put this same information on the 32 pages PDF called "ACTUAL INNOCENCE" (Page 31-32). Let's look at some important dates together: I just found some more things in April, 2022 (Autism Awareness month).

March – July, 2012 Brian was attending Mayodan, NC town hall meetings, writing about it on USWGO. He had also obtained a petition in Rockingham County, NC signed by over 200 people about the unconstitutional parts of the NDAA. He was also sending emails to the Mayodan police chief and all of the towns in Rockingham County, NC and many to various people in Mayodan, NC. We later found out that Brian's IP address is in every email: 24.148.156.211.

July 10, 2012 Brian put a video about the Mayodan police chief grabbing his arm on July 9, 2012 and making him leave the public town hall meeting when Brian went up to the Mayodan lawyer who is also a NC state senator to ask him a question about the petition. Brian also wrote an article about it on USWGO.

July 12, 2012 Police go up to Brian's mom (first time this has happened since moving to Mayodan in 2005) and asked her if she saw a little girl on the street and where did she (Brian's mom) live, which house. Brian got on the internet and wrote about it saying "The police are harassing my mom". He thought the police were going to do something to set him or his mom up due to articles he had been writing and try to have one of them arrested. He wrote this in that article. Document 132 PAGE 78-81, 86-

July 20, 2012 - July 26, 2012 According to the Mayodan police, child porn is being downloaded on Brian's computer. July 20, 2012 – July 28, 2013 Files were being downloaded to Brian's computer according to the NC SBI.

August 28, 2012 There was a police raid done at Brian's & his mom's house where the police in Mayodan got all of their computers, hard drives, etc which included all of their photo memories (including some family members & cats who were now dead), all of Brian's USWGO articles & videos, all of his mom's poems and PDF's for her books. She is an author.

August 29, 2012 Police interrogate Brian's mom then Brian at lunchtime. Brian is disabled and the police did not obey Americans with Disabilities laws and got a false confession & misleading statements from Brian.

August 22, 2012 2 police got together and hacked into Brian's computer without a search warrant.

I just discovered something else very important. Reidsville, NC police detective Robert Bridge on July 20, 2012 hacked into Brian's computer without obtaining a search warrant. He is the brother of the Rockingham County Asst District Attorney who had been working for years with Philip Berger Jr (Rockingham County District attorney) who is the son of the NC Senator & Mayodan lawyer, Phil Berger whom Brian had been investigating and writing articles about in June – July, 2012 (USWGO).

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Your affiant then selected the option to monitor a particular IP address; in this case 24.148.156.211 on July 20, 2012. When the IP address was online in the eDonkey Network, your affiant's computer would automatically begin to download the files available for trade by the suspect computer. This is done through a law enforcement-only designed system, which your affiant refers to as Undercover Investigative Software (hereinafter referred to as UIS), currently used in state and local Peer-to-Peer P2P file sharing investigations and utilized through the CPS suite of tools. In this particular case it was used to request a download of the files of child pornography from IP address 24.148.156.211. Downloading is a transfer of data from one computer to another. Since your affiant was doing the download, your affiant was receiving data, which was transmitted from another computer. This software is designed by and for law enforcement and only available to law enforcement officers who have attended the appropriate training. Your affiant has done so and conducts that training for others. The UIS is designed to connect directly to one IP address and browse or download from one specific peer at a time using technology to block all other IP addresses from delivering any piece of the file. The UIS is a P2P file sharing client similar to other file sharing which are free and available to the public.

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According to the North Carolina State Bureau of Investigation's Case number 2012-02146 915, files of interest were being downloaded from July 20, 2012 until July 28, 2013. This was the time frame of 11 months when Brian Hill no longer had that laptop.

"None of the children have been identified as part of a known series by the National Center for missing and exploited children (NCMEC)" Document #33, Filed 09/16/2014, Page 6 of 26

Presenting these facts on these 2 pages alone is enough to prove to a judge or to a jury that Brian David Hill is innocent of downloading child porn. Case closed. Acquit Brian David Hill, take his name off of the sex registry, remove him from probation. Then an investigation needs to be done. Think of all of the torture he & his family have been through for almost 10 years because of this.

Ineffective Attorney This covers more of what Attorney Placke didn't do in this section. 1. Didn't get bail for his client. 2. Didn't check his client's medical condition at the jails; didn't make sure that his client had insulin on court days (causing cruel and unusual punishment for his client for 9 months. 3. Didn't compare the false confession with the police report and the NC SBI report, checking for conflicts. 4. At his client's assistance, he still did not get a medical professional familiar with both autism spectrum disorder (ASD) and brittle type 1 diabetes listen to the confession tape in view of the fact that his client had autism, brittle type 1 diabetes, OCD and anxiety disorder. Another person should have investigated and examined the tape for parts that could have been erased. 5. He did not bring out to the court that his client had all of these disabilities in the very beginning as Brian's grandparent's emailed and faxed him Brian's medical records as proof in December, 2013 and another attorney told both government's attorneys about his diabetes and autism in December, 2013.

6. Did not bring it to the attention of the court that 2 police questioned this disabled person at lunch time without providing any of the aids not obeying the law "Americans with Disabilities Act" (proof is in the police report). 7. Did not bring it to the court's attention that the police hacked into my grandson's personal computer without going to the judge and obtaining a search warrant for just cause on August 22, 2012. (Proof is in the police report). 8. Attorney Placke did not bring it to the court's attention that Brian according to the police report said he had been downloading child porn for a year or so, yet the police report said for 1 week and the NC SBI report said files for 1 month and 1 week and for another 11 months after the police raid where the police got the computer on August 28, 2012. This proof is in the police report and the NC state bureau of investigation report. 9. He did not bring it to the attention of the court that Brian had given another false statement when he said he had a net book at home that the police did not get the day before that had files in it and according to the police report, they picked the netbook up at his house on August 29, 2012 and according to the NC SBI report there were no files of interest in that net book. 10. Placke did not let the court know that Brian had said some misleading statements about liking children according to the police report which were not true. This attorney should have informed the court that due to insulin reactions and diabetic seizures Brian Hill does not own or drive a car. He goes everywhere with his mom and sometimes with his grandparents and according to his family he does not even like being around children. Plus nowhere are there any legal documents that anyone has said that Brian has raped or touched them, no adults or children, and Brian is now 23 years old. He should have explained that these untrue comments was due to his autism spectrum disorder (ASD) and type 1 diabetes being questioned at lunch time without an attorney present, his mom or an autism expert there with very low blood glucose like someone with a lot of alcohol in their system.

11. Attorney Placke did not bring it to the court's attention that there are no photos of children in either report to prove that there actually was child porn in Brian's computer. 12. Attorney Placke did not bring it to the court's attention that according to the police report one of the police detectives said he recognized the child porn, yet the government said that the child porn was not part of a known series. 13. Attorney Placke did not bring it to the court's attention that Brian was attending various local town hall meetings from April – July, 2012 and was putting out videos on YouTube and articles on his USWGO webpage about the Mayodan, NC town attorney who was also a NC Senator and the police chief of Mayodan, NC and was doing an investigation about both before the date that child porn was supposedly put on his computer. 14. He did not tell the court that according to the investigation of Brian who had the proof: there is a deep relationship between the 2 police who hacked into Brian's computer without a search warrant on August 22, 2012, got a search warrant for his home on Aug. 28, 2012, police raid on Brian's house and removed thousands of dollars worth of computers, hard drives, etc with articles & videos from Brian's (USWGO) home on August 28, 2012 and got a false guilty statement and misleading comments from these 2 police at lunchtime disobeying the "Americans with Disabilities" laws. The detective from Mayodan works in the same office as the police chief of Mayodan. The detective from Reidsville was a brother to the Assistant District Attorney in Rockingham County, NC who had been working for years with the Rockingham County, NC District Attorney who was the son of the Mayodan, NC attorney (NC Senator) whom Brian was investigating and writing articles about him. Brian's family sent this proof to Attorney Placke in January 2014, and Brian told him about it. When Brian and his family finally saw the NC SBI discovery in January, 2015, the name "Philip Berger Jr" was all over it.

15. This attorney failed to tell the court that Brian's family had sent him in January, 2014 a copy of 2 threat emails Brian had received in his email where whoever sent these admitted to hacking into Brian's computer and hard drives and putting the child porn in them telling Brian not to talk to anyone else about this. Attorney Placke should have asked for an investigation into these emails. 16. Did not bring any proof documents to the court from Brian, Brian's family, Brian's friends and other witnesses who knew Brian. 17. Did not allow Brian's family to see any of the government's discovery even though his client

wanted his family to read the NC SBI discovery and hear the confession tape. Brian and his family had already read and had copies of the police report. He did not even show the NC SBI report to his client, Brian. He only showed Brian parts of the report which Brian already had a copy since August, 2012 and had investigated parts of it himself. He had Brian to listen to the confession tape, but would not have it examined as Brian wanted done. 18. Attorney Plackie did not allow Brian to have a jury trial where he would have questioned the 2 police detectives about the issues here under what ineffective Attorney Plackie did not do to represent his client. Now what all did Attorney do to hurt his client and to make sure the court would not know that Brian is a victim in this case and is innocent.

(1) Attorney Plackie deleted all attachments from all emails that Brian's grandparents sent to him in December, 2013 and January, 2014 which included medical reports, 2 threat emails sent to USWGO, proof of innocence and affidavits from Brian's mom and 2 grandparents. None of this proof was brought to the courts attention by Attorney Plackie on June 10, 2014. (2) Plackie called Brian "Delusional" to the court while ignoring his true disabilities. (3) Attorney Plackie had no witnesses for Brian on June 10, 2014, but on September 30, 2014 both attorneys (Plackie & government's attorney, Ramaswamy) admitted to the court that many witnesses came forth who wanted to testify for Brian, and both of them ignored all witnesses. (4) On June 9, 2014 Attorney Plackie called Brian's mom and Brian's grandparents whom he had told on the phone & in email early in Brian's case that they were not allowed to see the discovery against Brian or hear the confession tape to tell Brian to say "Guilty of Possession of child porn since he owned the laptop that the police claimed contained child porn on August 28, 2012. He said Brian was refusing to say he was guilty and kept saying he was innocent, and since Plackie had nothing to offer the court in Brian's defense and no witnesses and that autism would not be used nor could Brian's family testify as witnesses Brian would get 20 years because the jury would hear the tape and see what the prosecution had and would be found guilty, and he would get 20 years in prison.

At this time Brian had told us that he had not gotten insulin for at least his first 4 days in jail and was only getting insulin to cover his lunch and his dinner, none of the slow acting insulin shots which covers 24 hours, no insulin shots on court days until that evening, and someone from Butner Prison called us and admitted not giving Brian any insulin his first few days apologizing, and told us that Brian had no medical papers with him when he came there, and they couldn't take Brian's word, apparently Brian had gotten real sick and probably went in a coma when they tested and found out he was a type 1 brittle diabetic. They had been moving someone with autism spectrum disorder (ASD) diagnosed with that in 1994 to various jails for over 5 months at this time. We had no choice but to tell Brian to say "Guilty" even though we all knew that if there was child porn on his computer, he was not the one to put it there, but apparently he was in possession of that computer in July up to August 28, 2012. There was no choice since his court appointed attorney had deleted all proof sent to him, ignored Brian the chance (bail) to come home and get the proof he had as well as his prescribed medicine and ignored all witnesses and proof of innocence. This was worse than no attorney at all. Then after June 10, 2014 we found out through court transcripts that he was acting more like a prosecuting attorney than a defense attorney, and he wanted to make sure that the court knew that Brian was according to him diagnosed with "Delusional" because when Brian talked to anyone, he had no proof to back up what he said due to this attorney. This caused the court to then ignore all of Brian's proof and pro se motions. Not only was this a lazy, ineffective attorney but was an attorney working against Brian and acting more like a prosecuting attorney than a defense attorney. This is proven in all court transcripts from 2014 up to and including September 30, 2014 and the document and page numbers are in our PDF's.

Brian is innocent and had an ineffective attorney who worked against his client. We have our proof in all 8 PDF's submitted to the court on this date in 2022. None of this information was available to the court on June 10, 2014. Brian needs to be immediately acquitted, taken off of probation and the sex registry.

Brian knew he had a bad attorney and asked the court to remove him from his case from April, 2014 – September 30, 2014.

Besides the fact that Brian is innocent of looking at child porn and innocent of putting it on his computer, he is guilty of having brittle, type 1 diabetes, diabetic seizures, autism spectrum disorder (ASD), OCD and anxiety disorder. He was also guilty of having an ineffective attorney and the court in the Middle District of NC ignoring his pro-se motions, his proof sent to the court in and after September, 2014 as well as his disabilities. I have never seen any medical reports from any medical doctors say that he is delusional from 1990-2022. I did see the one his attorney was referring to in 2014 after Brian had spent months in jail without the 24 hour insulin per day and with only 0, 1 or 2 fast acting insulin shots per day. At home since 1992 he gets one long acting insulin shot per day and 3-5 fast acting insulin shots per day plus he has all of his proof of innocence at home which was denied to him by this court appointed attorney.

CONSTITUTIONAL & OTHER LAWS broken by law enforcement, attorneys and this court: All of these and reasons are in my 8 PDF's submitted to this court from September, 2014 – December, 2017 and in these 8 PDF's due to Brian's grandmother's investigation in 2022. Due Process Sixth Amendment Right part of the US Constitution, 8th Amendment Right, the statutory privacy laws, "Cruel and Unusual punishment", Violation of his Civil Rights, 4th Amendment violation, First Amendment Constitutional Rights, "The Bail Reform Act of 1984" (Third Edition); Basis the courts were using & how it was obtained: Police disobeyed Americans with Disability Laws & Medical Civil Rights & got a false confession (words – no proof), The 5th Amendment Rights & Laws, 14th Amendment "Equal protection of the laws," denied his Sixth Amendment right which is supposed to be guaranteed by the Federal Rules of Criminal Procedure Rule 43, violated his rights under the Confrontation Clause of the Sixth Amendment. Court basis all on words from someone with a communication disability, autism spectrum disorder (ASD), nothing about "Intent". New autism law (Virginia Code § 19.2-271.6) in Virginia where Brian has lived since September, 2012 has proven that people with autism do not have the "criminal intent" or "mens rea". In all alleged crimes in Virginia, Autism must now be taken into consideration since 2021.

Brian David Hill must be acquitted today in 2022, removed from probation and the sex registry. He is innocent, was given ineffective attorneys who harmed his case instead of helping and therefore, most of his constitutional, Civil and medical rights were denied. The proof is in the court records presented by him as well as these 8 PDF's presented by his family. His main and first witness is Almighty God. Next and second, he is his witness admitting that he is innocent but did give false guilty and misleading statements due to his disabilities. His family, friends and people who followed USWGO on the Internet are his 3rd witnesses, and the Discovery from the prosecution has proved to be his 4th witness to his innocence!

Thank you in advance for your time reading this as well as the 8 PDF's and for acquitting him, removing him from probation (Brian and his family deeply respect the Roanoke, VA probation who have been kind to us all and respectful of all legal disability laws & Civil Rights laws) and remove him from the sex registry and for giving him back his God given freedoms as an innocent, disabled American citizen. I am not an attorney so ask the court to ignore & forgive anything that does not follow procedure and just notice the facts of his innocence that are presented here. This will be notarized to cover this and all of the 8 PDF's.

Mine and my husband's notarized Affidavits are on the next two pages.

Affidavit of Stella Burnette Forinash

State Commonwealth of Virginia

City of Martinsville

Stella Burnette Forinash, being duly sworn deposes and states as follows under penalty of perjury:

1. My name is Stella Burnette Forinash. I am presently 74 years old, and my current address of residence is 201 Greyson St, Martinsville, Virginia 24112
2. The purpose of this Affidavit is to cover all that I have said to this court in 2022 including all 8 PDF's which proves to this court my Grandson, Brian David Hill's ACTUAL INNOCENCE, how his disabilities affect him and INEFFECTIVE ATTORNEY ignoring all proof, all witnesses, all disability issues and his client's constitutional rights, civil rights and disability rights.
3. Brian David Hill is innocent of putting child porn on his computer, innocent of possession of the virus which contained the child porn. Brian is guilty of having brittle, type 1 diabetes, diabetic seizures, autism spectrum disorder (ASD), OCD and anxiety disorder, talking to police who disobeyed the Americans with Disability Laws which caused misleading statements & a false confession and having an ineffective attorney. He needs to be acquitted of all charges.

I hereby swear or affirm that the information above and in the 8 PDFs is true, accurate and complete to the best of my knowledge, and that no relevant information has been omitted.

Dated:

April 18, 2022

Signature of Individual:

Stella B Forinash

Notary Public

Melissa A Fowler

Title and Rank

AUP Financial Center Mgr.

Date of Commission Expires

10-31-2025

Melissa A Fowler
NOTARY PUBLIC
Commonwealth of Virginia
Reg. # 7293936

My Commission Expires 10-31-25

Affidavit of Kenneth R. Forinash, TSgt, USAF, Ret

State Commonwealth of Virginia

City of Martinsville

**Kenneth R. Forinash, being duly sworn deposes and states as follows
under penalty of perjury:**

1. My name is Kenneth R. Forinash. I am presently 79 years old, and my current address of residence is 201 Greyson St, Martinsville, Virginia 24112
2. The purpose of this affidavit is to let it be known that I am sure Brian Hill is innocent of all charges against him. I have seen that he has been represented by ineffective counsel on more than one occasion. I have also seen that the judicial system has worked against him, as it does for numerous other people.
3. I am married to Brian's grandmother, Stella Forinash, and have known Brian since he was 10 years old. He has never shown an interest in children, and prefers to take pictures of buildings and nature without the presence of anyone being in the pictures. I have several grandchildren and great-grandchildren of all ages, from infant to 40 years old. I would not hesitate to allow Brian and my grandchildren to be together. He is innocent of all charges leveled against him. I believe the courts and attorneys representing him have only worked against him by saying that he is delusional. This is far from the truth, and his filings should prove that to anyone who would take the time to read them. When you see that one Judge makes the statement that even if he could find merit in his case he would still deny it, it makes you wonder if there is anything fair in the judicial system. Brian needs to be acquitted of all charges, removed from probation and the sex registry so his life and his families can finally return to normal.

I hereby swear or affirm that the information above and in the 8 PDFs is true, accurate and complete to the best of my knowledge, and that no relevant information has been omitted.

Dated:

04/18/2022

Signature of Individual:

Kenneth R. Forinash

Notary Public

Melissa A Fowler

Title and Rank

AVP / Financial Center Mgr

Date of Commission Expires

10-31-2025

Melissa A Fowler
NOTARY PUBLIC
Commonwealth of Virginia
Reg. # 7293936
My Commission Expires 10-31-25